

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CR 21-1326-MV

EPIFANIO ESPINOSA,

Defendant.

Order and Notice of Trial

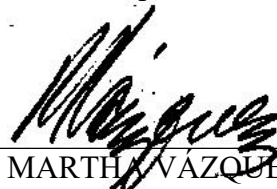
THIS MATTER is before the Court on the defendant's *Unopposed Motion to Continue Trial* [46]. The Court has weighed the representations made in the motion and finds granting a continuance to resolve these issues outweighs the public and defendant's interest in a speedy trial pursuant to 18 U.S.C. § 3161, for the reasons set forth in the defendant's Motion.

Conducting a trial in the face of these facts would be contrary to the interests of justice. *Zedner v. United States* 126 S. Ct. 1976 (2006). Now, therefore,

IT IS ORDERED that the trial of this action be and hereby is continued from October 24, 2022, to **Monday, January 23, 2023, at 9:00 a.m.**, on a trailing docket, in the Aspen Courtroom at the United States Courthouse in Santa Fe, New Mexico, pursuant to 18 U.S.C. § 3161(h)(7)(A), with the following pretrial dates and deadlines. It is further ordered that the period of time from the entry of this Order until the new trial date shall be excluded from the time limitations set forth within 18 U.S.C. § 3161(c)(1).

<u>Event</u>	<u>Date/Deadline</u> Counsel must file all trial documents in accordance with this schedule until a Motion to Continue is GRANTED by the Court.
Pretrial Motions (Other than Motions in Limine)	November 1, 2022
Motion to Continue	December 11, 2022
Joint Jury Instructions, Witness and Exhibit Lists, Voir Dire	December 18, 2022
Objections to Witness and Exhibit Lists, Objections to Voir Dire	December 22, 2022
Motions in Limine/Response/Reply	December 11, 2022 / December 18, 2022 / December 22, 2022 Responses and Replies to Motions filed 14 days or more before this deadline are due in accordance with the Federal and Local Rules of Criminal Procedure. A continuation of the trial date does not extend the Response or Reply deadline for previously filed Motions in Limine.
Call of the Calendar or PreTrial Conference	January 6, 2023, 9:30 a.m.
Jury Selection/Trial	January 23, 2023, 9:00 a.m.

In an effort to conserve judicial resources, the Court must be advised of all plea agreements no later than ten (10) working days prior to trial. The plea must be entered at least five (5) days prior to the trial date.



MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE

Linda Z. Romero, Courtroom Deputy - (505) 992-3826

Trial Preparation guidelines: <http://www.nmd.uscourts.gov/content/honorable-martha-vazquez>